UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, ex rel. MELAYNA LOKOSKY,)))
Plaintiff-Relator) Civ. A. No. 1:11-cv-11217-DLC
v.	
ACCLARENT, INC.,) ORAL ARGUMENT REQUESTED
Defendant.)
))

NON-PARTIES WILLIAM FACTEAU AND PATRICK FABIAN'S JOINT MOTION TO QUASH

Non-parties William Facteau and Patrick Fabian respectfully move to quash the subpoenas issued by Plaintiff Melayna Lokosky.

REQUEST FOR ORAL ARGUMENT PURSUANT TO LOCAL RULE 7.1(d)

Mr. Facteau and Mr. Fabian believe that oral argument may assist the court and wish to be heard.

Respectfully submitted, Respectfully submitted,

FOR NON-PARTY WILLIAM FACTEAU: FOR NON-PARTY PATRICK FABIAN:

By: /s/ William T. Hassler By: /s/ Frank A. Libby, Jr.

MICHAEL J. PINEAULT (BBO No. 555314) FRANK A. LIBBY, JR. (BBO No. 299110) Clements & Pineault, LLP KRISTEN A. KEARNEY (BBO No. 669940)

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(pro hac vice application submitted)

Dated: August 6, 2018

LOCAL RULE 7.1(a) CERTIFICATE OF CONSULTATION

I hereby certify that counsel for non-parties William Facteau and Patrick Fabian conferred with counsel for the plaintiff and defendant in a good-faith effort to resolve or narrow the issues raised by this Motion to Quash, pursuant to Local Rule 7.1(a).

<u>/s/ William T. Hassler</u> William T. Hassler

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and will be emailed to counsel for non-party Patrick Fabian on August 6, 2018.

<u>/s/ William T. Hassler</u> William T. Hassler